

Message Text

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ACTION IO-13

INFO OCT-01 ADP-00 AF-10 ARA-11 EA-11 EUR-25 NEA-10 RSC-01

CIAE-00 DODE-00 PM-09 H-02 INR-09 L-03 NSAE-00 NSC-10

PA-03 PRS-01 SS-14 USIA-12 COA-02 EB-11 OIC-04 ACDA-19

AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04 INT-08

JUSE-00 NSF-04 OMB-01 SCI-06 CEQ-02 RSR-01 /238 W
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E. O. 11652: N/A

TAGS: PBRO, UN

SUBJ: LOS: SUBCOMMITTEE II WORKING GROUP, MARCH 28

1. SUMMARY. SUBSTANTIVE COMMENTS BY TURKEY WHO STRESSED NECESSITY FOR DIFFERENT LIMITS FOR ECONOMIC ZONE IN AREAS OF DIFFERING CHARACTERISTICS AND NOTED NEED TO REDEFINE INNOCENT PASSAGE IN TERRITORIAL SEA. OTHER SUBSTANTIVE COMMENTS BY COLOMBIA AND JAPAN. PROCEDURAL DEBATE AS TO RECORD- KEEPING IN WORKING GROUP RESULTED IN ABIDING BY ORIGINAL DECISION NOT TO KEEP SUMMARY RECORDS. END SUMMARY.

2. TURKEY STATED THAT TERRITORIAL SEA CONCEPT WAS NECESSARY AND SHOULD BE PRESERVED. SAID THAT INNOCENT PASSAGE NEEDED REDEFINITION AND THEN SAID THAT THERE WAS ANALOGY BETWEEN COMMERCIAL VESSELS IN INNOCENT PASSAGE AND TRAINS PASSING THROUGH LAND TERRITORY. HE THEN EXTENDED THE ANALOGY TO WARSHIPS IN INNOCENT PASSAGE AND TROOPS PASSING THROUGH LAND TERRITORY (WHILE NOTING THAT THERE HAD NEVER BEEN INTERNATIONAL AGREEMENT AS TO WHETHER WARSHIPS ENTITLED TO INNOCENT PASSAGE.) SAID THAT KENYA PROPOSAL ON ECONOMIC ZONE UNCLASSIFIED

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WAS ACCEPTABLE IN PRINCIPLE BUT NOTED THAT OUTER LIMIT MIGHT DIFFER DEPENDING ON CHARACTERISTICS OF DIFFERENT

AREAS. SAID THAT US AND USSR FISHERIES PROPOSALS ALSO HAD POSITIVE ELEMENTS AND SHOULD BE CONSIDERED.

3. COLOMBIA SAID THAT SANTO DOMINGO DECLARATION HAD BEEN EFFORT TO MAKE COMPROMISE BETWEEN RESOURCE AND NAVIGATION INTERESTS AND THAT EFFORT WAS BEING MADE TO DRAFT ARTICLES ON BASIS OF DECLARATION AND TO SUBMIT THEM SOON. HE STRESSED THE ECONOMIC CHARACTER OF COASTAL RIGHTS BEYOND THE TERRITORIAL SEA AND STATED THAT AGREEMENT ON 12- MILE BOUNDARY FOR TERRITORIAL SEA CLOSELY TIED TO AGREEMENT ON ECONOMIC ZONE.

4. JAPAN SAID THAT RESOURCE AND NAVIGATION INTERESTS SHOULD BE CONSIDERED SEPARATELY AND THAT IT WAS NOT A SITUATION IN WHICH A SIMPLE TRADE- OFF COULD BE MADE AS HAD BEEN SUGGESTED EARLIER BY NORWAY. ON NAVIGATION, HE SAID THAT JAPAN RECOGNIZED THAT QUESTION OF POLLUTION THREAT FROM LARGE OIL TANKERS REQUIRED AN UPDATING OF INNOCENT PASSAGE. HE PROPOSED THAT WE AGREE THAT INTERNATIONALLY- AGREED STANDARDS ON POLLUTION BE USED IN TERRITORIAL SEA TO EXCLUSION OF COASTAL STATE STANDARDS. ON FISHERIES, HE SAID THAT WE MUST AVOID EXTREMES OF MAINTAINING STATUS QUO OR HAVING EXCLUSIVE ECONOMIC ZONE AND THAT, WHATEVER ELSE AGREED UPON, MUST PRESERVE RIGHTS OF THOSE NOW FISHING ON HIGH SEAS AND NOT ABRUPTLY CUT THEM OFF.

5. THERE WAS A PROCEDURAL DISCUSSION AS TO WHETHER TO HAVE SUMMARY RECORDS OR TO ALLOW DELEGATIONS TO CIRCULATE WRITTEN NOTES ON THEIR INTERVENTIONS. SEVERAL DELS EXPRESSED BELIEF THAT THIS WOULD SLOW DOWN WORK AND WOULD HINDER FREE AND OPEN DISCUSSION. IT WAS DECIDED TO CONTINUE TO WORK UNDER ORIGINAL DECISION NOT TO HAVE SUMMARY RECORDS.

6. EGYPT INDICATED A DESIRE TO BEGIN DISCUSSING LIST ITEM ON CONTINENTAL SHELF AND IT WAS GENERALLY ACCEPTED THAT WORKING GROUP SHOULD DO SO AFTER ANOTHER SESSION OR TWO ON CURRENT ISSUES.

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